IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 25940 of 2003

Between:

1 M.Srinivas, S/o.Musalaiah,
Dist.Collector Office Bunglow, Guntur Dist.
2 Shek Mahboob Subhani, S/O.Masthan,
Working at Dist.Manager Office, A.P.State Housing Corpn.Ltd.,
Guntur Dist.
3 Kurra Venkata Ramana, S/o.Basava Punnaiah,
Working at Dy.Executive Engineer Office, Tenali,
A.P.State Housing Corpn.Ltd., Guntur Dist.
4 D.Anjaneyulu, S/o.Rajanna,
working at Deputy Engineer's office, A.P.State Housing Corpn.Ltd.,
Narasaraopet.
5 K.Sambasiva Rao, S/o.Subbaiah,
working at Dist.Manager's Office, A.P.State Housing Corpn.Ltd.,
Guntur Dist.
6 Mandru(s) Chandra Sekhar, S/o.Veera Raghavulu,
working at Dist.Collector Bunglow, Guntur Dist.
7 R.Parameshwar Rao, S/o.Somaiah,
Working at Dist.Manager's Office, A.P.State Housing Corpn.Ltd.,
Guntur District.

..... PETITIONERS

AND

1 The Managing Director, A.P.State Housing Corpn.Ltd.,
3-6-184, Himayathnagar, Hyderabad.
2 The Dist.Manager, A.P.State Housing Corpn.Ltd.,
District Unit, Guntur Dist.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the

circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate order, or direction more particularly in the nature of writ of Mandamus declaring the action of the respondents in not paying the petitioners NMR Employees consolidated wages based on minimum emoluments as per SS rates on par with 2 other candidates in pursuance of the Memo No,A5/3919/99 dated 12-10-1999 is illegal, arbitrary and violation of Government orders and directions of this Court and violation of Articles 14 of the Indian Constitution, consequently direct the respondents to pay consolidated wages equal to the minimum emoluments basing on their cadre at SS rates on par with the candidates who were considered in pursuance of Memo No.A5/3919/99 dated 12-10-1999 of Managing Director, A.P.State Housing Corporation Ltd.,

Counsel for the Petitioner:MR.KOONA REDDY ANJI REDDY

Counsel for the Respondent Nos.1 & 2: MR.V.CH.NAIDU.

The Court made the following :

O R D E R:

The facts of the case in brief are that the petitioners were appointed in the Andhra Pradesh State Housing Corporation Limited, District Unit, Guntur District, as NMR/Typist/Junior Assistants/Sweepers/Office Watchman/Drivers and Attenders on NMR basis and completed five years of service. As per Memo No.A5/3919/99, dated 12.10.1999, the Corporation directed the District Managers to checkup the original certificates or technical qualifications and age of the employees, in order to implement the memo, dated 12.10.1999 and also directed to pay minimum emoluments to the NMR employees in the form of consolidated pay. In the memo it is stated that the NMRs in the above categories are also eligible for the following perks:

a. *Conveyance allowance on par with regular employee, if any applicable to them*

b. *C.L. on par with regular employees*

c. *Medical reimbursement as made applicable to Corporation employees.*

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In spite of various circulars and memorandums issued by the 1st respondent for payment of wages on the basis of SSR rates and even after giving number of representations made by the petitioners, no action was taken by the respondent authorities. Hence, this writ petition is filed.

Having regard to the fats and circumstances of the case and without going into the rival contentions of the parties, I am of the opinion that it would be just and proper for the first respondent to consider the representations made by the petitioners to extend the benefits for which they are entitled as per the memo, dated 12.10.1999 and accordingly I direct the petitioners to file a fresh representation before the first respondent seeking to extend the benefits mentioned in the Memo, dated 12.10.1999, within a period of four weeks from the date of receipt of a copy of this order and on filing such a representation, the first respondent shall consider the

same and pass appropriate orders within a period of six weeks thereafter, keeping in view the memo, dated 12.10.1999.

The writ petition is accordingly disposed of. No costs.

28.10.2004

tjs

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.The Managing Director, A.P.State Housing Corporation Ltd., 3-6-184, Himayathnagar, Hyderabad.

2. The District Manager, A.P.State Housing Corporation Ltd., District Unit, Guntur District.

3. 2CCs to the G.P.for Co-operation, High Court of A.P., Hyderabad.

4. 2CD copies